IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

WP(C).No. 33020 of 2006(E)

AGAINST THE ORDER IN CP3/2004(C). IN CP.1/2004 of LABOUR COURT, KOLLAM

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PETITIONER:

THE HEAD, CENTRAL PLANTATION CROPS
RESEARCH INSTITUTE, REGIONAL STATION,
KAYAMKULAM, KRISHNAPURAM P.O.-690 533.

BY ADV. SRI.P.JACOB VARGHESE, SC, ICAR

RESPONDENTS:

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1. SRI.N.MOHANAN, MUTTATHERIL THEKKATHIL,
CHERAVALLY, KAYAMKULAM-690 533.

2. THE LABOUR COURT, KOLLAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.33020 of 2006-E

Dated this the 12th day of December, 2006

JUDGMENT

The petitioner challenges Ext.P1 order of the Labour Court, Kollam. It is a preliminary order. So, the challenge against it is not maintainable in view of the decision of the Apex Court in D.P.Maheshwari Vs. Delhi Administration (1983 (4) SCC 293). Further, the very same order has been challenged by the petitioner before this Court to which the first respondent herein was not a party. The said writ petition was dismissed by Ext.P2 judgment of this Court. I fully agree with the views taken by this Court in the said judgment. Accordingly, the writ petition fails and it is dismissed.

K.BALAKRISHNAN NAIR,JUDGE.

MS